

IN THE SUPREME COURT OF FLORIDA

INQUIRY CONCERNING A

Supreme Court
Case No.: SC03-1171

JUDGE, NO. 02-487

RESPONDENT'S CORRECTED RESPONSE TO
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S
FIRST SET OF INTERROGATORIES TO RESPONDENT

Respondent, Honorable Gregory P. Holder, replies to the following Interrogatories propounded by The Florida Judicial Qualifications Commission, pursuant to Rule 12(a) of the Rules of the Judicial Qualifications Commission, and Rule 1. 340, Florida Rules of Civil Procedure, and states under oath:

1. State the names and addresses of all persons who are believed or known by you, your agents or attorneys to have any knowledge of the facts alleged in the Notice of Formal Charges or Answer thereto and, as to each such person, specify the subject matter about which the person has knowledge.

Gregory P. Holder, Colonel, USAFR: 419 Pierce St., Room 375, Tampa, FL 33602; wrote the paper and submitted his paper to the USAF AWC on or about 5 Jan 98.

Deputy Sylvia Morgan: 419 Pierce St., Room 180, Tampa, FL 33602; observed the research and writing of the AWC paper, made copies of the Holder paper and the Hoard paper, and gave them to AUSA Kenneth E. Lawson.

Ms. Lorraine Nasco: c/o Douglas J. Titus, Jr., Esq., 100 S. Ashley St., Suite 1290, P.O. Box 3240, Tampa, FL 33601; typed the Holder paper and mailed the Holder paper to AWC on or about 5 Jan 98.

John S. Vento, Esq. (Colonel, USAFR): Bank of America Plaza, 101 E. Kennedy Blvd., Suite 2700 Tampa, FL, 33602, received and reviewed a copy of the Holder AWC paper in Jan 1998.

James C. Russick, Esq. (Lt Col. USAFR): Old Republic Title, 100 S. Ashley Dr., Suite 700, Tampa, FL 33602; conducted research with Colonel Holder in November 1997 at the MacDill AFB library and received, reviewed, and returned a copy of the Holder AWC paper in Jan 1998.

Colonel Mary V. Perry: PSC 80 Box 21 APO AE 09724; was an AWC student with Colonel Holder during 1997 – 1998, and had conversations with Colonel Holder during the research and writing process of the AWC paper.

Lt Col Dixie Morrow: 5104 Mandavilla Blvd, Gulf Breeze, FL 32563; had completed AWC in or about 1996, provided Colonel Holder with copies of AWC papers for formatting purposes, and had numerous conversations with

Colonel Holder during the research and writing of the Holder AWC paper.

2. State the names and addresses of all witnesses whose testimony you expect to offer on your behalf at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel.

In addition to all witnesses listed by the Commission through its attorney, the following witnesses may be called at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel:

Honorable James S. Moody, Jr.
801 N. Florida Ave.
Tampa, FL 33602

Honorable Virginia Covington
Second District Court of Appeal
1005 E. Memorial Blvd.
Lakeland, FL 33802

Honorable Martha J. Cook
800 Twiggs St., Room 414
Tampa, FL 33602

Honorable Emmett L. Battles
800 Twiggs St., Room 415
Tampa, FL 33602

Honorable Williams P. Levens
419 Pierce St., Room 332-B
Tampa, FL 33602

Honorable Robert J. Simms
419 Pierce St., Room 391
Tampa, FL 33602

Colonel John J. Powers, USAF
112 Luke Ave, Suite 301
Bolling AFB, D.C. 20032-5113

Colonel John Odom, USAF
301 Gladstone Blvd.
Shreveport, LA 71104

Colonel Howard Donaldson USAF, (Ret.)
2615 Rossmere Street
Colorado Spring, CO 80919

Lt. Col. Lauren Johnson-Naumann, USAF
Military Defense Counsel
5th AF/JA
Unit 5068
APO AP 96328

Kevin C. Ambler, Esq.
Major, USAFR
Florida State Representative
Park Tower
400 N. Tampa St., Suite 1100
Tampa, FL 33602

Patricia Anderson, Esq.
Suite 405
447 3rd Ave. North
St. Petersburg, FL 33701

Herbert Berkowitz, Esq.
3407 W. Kennedy Blvd.
Tampa, FL 33609

Mark P. Buell, Esq.
3003 W. Azeele St., Suite 100
Tampa, FL 33609

Johnnie Byrd, Esq.
Trinkle, Swanson, Byrd & Coton, P.A.
121 N. Collins Street
Plant City, FL 33563

Clifton C. Curry, Jr., Esq.
750 W. Lumsden Rd.
Brandon, FL 33509

Scott W. Dutton, Esq.
1901 N. 13th St., Suite 200
Tampa, FL 33605

James J. Evangelista, Esq.
501 E. Kennedy Blvd, Suite 1700
Tampa, FL 33602

S. Cary Gaylord, Esq.
One Harbour Place
777 S. Harbour Island Blvd, Suite 900
Tampa, FL 33602

Thomas M. Gonzalez, Esq.
501 E. Kennedy Blvd., Suite 1400
Tampa, FL 33602

James M. Landis, Esq.
100 N. Tampa St., Suite 2700
Tampa, FL 33602

Kenneth E. Lawson, Esq.
400 N. Tampa St., Suite 3200
Tampa, FL 33602

Mr. Dick Mandt
201 Kelsey Lane
Tampa, FL 33619

Thomas J. Roehn, Esq.
777 S. Harbour Island Blvd.
Tampa, FL 33602

John F. Rudy, II, Esq.
220 Franklin St.
Tampa, FL 33602

James C. Russick, Esq.
Lt Col USAFR (Retired)
100 S. Ashley Dr., Suite 700
Tampa, FL 33602

Marsha G. Rydberg, Esq.
400 N. Tampa St., Suite 1050
Tampa, FL 33602

Timon V. Sullivan, Esq.

113 S. Armenia Ave.
Tampa, FL 33609

Dale M. Swope, Esq.
1234 E. 5th Ave.
Tampa, FL 33605

Special Agent Kelly J. Thomas
1800 2d St., Room 930
Sarasota, FL 34236

John S. Vento, Esq,
Colonel, USAFR
Bank of America Plaza
101 E. Kennedy Blvd., Suite 2700
Tampa, FL 33602

Bill Wagner, Esq.
601 Bayshore Blvd, Suite 910
Tampa, FL 33606-2761

Robert V. Williams, Esq.
201 N. Franklin St., Suite 2600
Tampa, FL 33602

C. Steven Yerrid, Esq.
101 E. Kennedy Blvd, Suite 3910
Tampa, FL 33602

Ms. Lorraine Nasco
c/o Douglas J. Titus, Jr., Esq.
100 S. Ashley St., Suite 1290
P.O. Box 3240
Tampa, FL 33601

Lt. Col. William O. Howe, Jr.
Defense Threat Reduction Agency
8725 John J. Kingman Road, MSC 6201
Ft. Belvoir, VA 22060

Lt. Col. Charles A. Howard
Chief of Operations and Training
Air War College
Maxwell AFB, AL

Jeffrey J. Del Fuoco

Civil Division AUSA
400 N. Tampa St., Suite 3200
Tampa, FL 33602

3. State whether you claim that you typed the paper you submitted to the Air War College in January 1998 and if so:

No. I did not type the Air War College paper.

- a. Describe the computer or word processor upon which you typed the paper; and
 - b. State whether you still have that computer or word processor in your possession, custody or control.
-
4. State whether you claim that someone, on your behalf, typed the paper which you submitted to the Air War College in January 1998 and if so:

The paper was typed by my former Judicial Assistant, Ms. Lorraine Nasco, during December 1997 and January 1998.

- a. Identify the name and address of that person;

Ms. Lorraine Nasco: c/o Douglas J. Titus, Jr., Esq., 100 S. Ashley St., Suite 1290, P.O. Box 3240, Tampa, FL 33601

- b. Describe the computer or word processor upon which that

person typed the paper; and

The AWC paper was typed on a desktop personal computer.

c. State whether that person or, alternatively, you still have that

computer or word processor in their (your) possession, custody, or control.

No. The computer used to type the AWC paper was sold by its owner, Hillsborough County, to a vendor in or about 2000 and was then again sold to another vendor who transported the computer to Asia. This information was provided by the 13th Judicial Circuit technology staff. I have no personal knowledge of the location of this hardware.

5. Identify by name and address all persons to whom you believe you

gave a copy of the paper which you submitted to the Air War College in January 1998

While there may have been other persons who received a copy of the AWC paper, the following individuals have confirmed that they received and reviewed a copy of the Holder AWC paper.

Kenneth E. Lawson, Esq.
400 N. Tampa St., Suite 3200
Tampa, FL 33602

James C. Russick, Esq.
(Lt. Col. USAFR) (Ret.)

100 S. Ashley Dr., Suite 700
Tampa, FL 33602

John S. Vento, Esq.
(Colonel, USAFR)
Bank of America Plaza
101 E. Kennedy Blvd., Suite 2700
Tampa, FL 33602

Air War College
Maxwell AFB, AL

6. State the names and addresses of each person whom you expect to call as an expert witness at either the hearing on the Order to Show Cause or the hearing before the Hearing Panel and, as to each, state:

No experts have been retained at this time.

- a. The subject matter on which the expert is expected to testify;
- b. the substance of the facts and opinions to which the expert is expected to testify; and
- c. a summary of the grounds for each opinion.

Judge Gregory P. Holder

The foregoing Respondent's Corrected Response to the Florida Judicial

Qualifications Commission's First Set of Interrogatories was sworn to and
subscribed before me this ____ day of September 2003, by Gregory P. Holder.

Notary Public

State of _____

My Commission expires _____

Personally known ____ or produced the following
identification _____

I certify that on September 16, 2003, Respondent's Corrected Response to the Florida Judicial Qualifications Commission's First Set of Interrogatories was served, by facsimile and Federal Express on: JQC Special Counsel, Charles P. Pillans, III, Esq., Bedell Ditmar DeVault Pillans & Coxe, P.A., The Bedell Building, 101 East Adams Street, Jacksonville, FL 32202; and to JQC General Counsel, Thomas C. MacDonald, Jr., 1904 Holly Lane, Tampa, FL 33629. The original Corrected Response, together with a diskette containing the document in Word Perfect format, 14 point New Times Roman font, has been sent by Federal Express for filing to Thomas D. Hall, Clerk of the Court, Florida Supreme Court, 500 S. Duval Street, Tallahassee FL 32399-1927.

David B. Weinstein, Esq.
Florida Bar No.: 604410
Virginia Zock Houser, Esq.
Florida Bar No.: 0848859
BALES WEINSTEIN
P.O. Box 172179
Tampa, Florida 33674-0179
Telephone: (813) 224-9100
Telecopier: (813) 224-9109

and

Gregory W. Kehoe, Esq.
Florida Bar No.: 0486140
JAMES HOYER NEWCOMER
& SMILJANICH, P.A.
4830 W. Kennedy Blvd., Ste. 550
Tampa, Florida 33609

Attorneys for Defendant